

CITY OF MILFORD  
REGULAR MEETING  
OCTOBER 3, 2002  
MINUTES

A regular meeting of the Mayor and Council of the City of Milford, Nebraska was held at the Webermeier Community Room in said City on the 3<sup>rd</sup> day of October 2002 at 7:30 P.M. Present were: Mayor J. Elaine Plessel; Council members Scott Burroughs, Rick Fortune, Lyle Neal; Chief of Police Forrest Siebken, Attorney Robert Blevens; City Clerk Jeanne Hoggins. Absent: Gary Cooper. Also present: Dean Bruha and Bob Anderson.

Notice of the meeting was given in advance thereof by publishing in the Milford Times; a designated method for giving notice, as shown by the Affidavit of publication attached to these minutes. Notice of this meeting was given to the Mayor and all members of the Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

**CALL TO ORDER:** Mayor Plessel called the meeting to order.

**MINUTES:** A motion was made by Fortune and seconded by Neal to approve the minutes of the September 3, 2002 meeting. Roll call vote: Fortune yes, Neal yes, Burroughs yes, Cooper absent. Motion carried.

**PAYMENT OF BILLS:** A motion was made by Neal and seconded by Burroughs that the following bills in the amount of \$74,371.14, bond principal and interest in the amount of \$22,885.00 totaling \$97,256.14 approved by the Auditing Committee be approved for payment. Roll call vote: Neal yes, Burroughs yes, Cooper absent, Fortune yes. Motion carried.

**SALARIES:**

35606	Mark Frey	1069.36
35607	Forrest K. Siebken	1013.76
35608	Jeanne M. Hoggins	903.32
35609	Gary Lee TeSelle	617.45
35610	Scott Dean Fosler	955.39
35611	Robert L. Hull	733.59
35612	Beverly J. Wehrs	375.74
35613	Edna A. Riedl	220.37
35614	David R. Dahle	731.98
35615	Louis J. Bialas	762.96
35616	Pamela J. Slama	228.13

35617	Bryce Roth	96.63
35618	Arlene F. Sieck	530.71
35619	Lucy B. Honig	98.25
35620	Zachary D. Eden	124.99
35621	Bryce C. Johnson	787.64
35622	Philip Winkelmann	762.16
35675	Mark Frey	1069.3
35676	Forrest K. Siebken	1013.76
35677	Mavis Lynn Ferris	46.21
35678	Jeanne M. Hoggins	903.32
35679	Gary Lee TeSelle	680.67
35680	Scott Dean Fosler	918.03
35681	Robert L. Hull	779.91
35682	Beverly J. Wehrs	398.85
35683	Edna A. Riedl	330.65
35684	David R. Dahle	745.03
35685	Louis J. Bialas	762.96
35686	Pamela J. Slama	267.42
35687	Arlene F. Sieck	530.71
35688	Lucy B. Honig	268.17
35689	Zachary D. Eden	134.38
35690	Bryce C. Johnson	694.20
35691	Philip Winkelmann	694.20
35694	Gary W. Cooper	138.53
35695	Roger L. Kness	233.96
35696	Joyce Elaine Plessel	184.70
35697	Ricky Gene Fortune	138.53
35698	Scott C. Burroughs	138.53
35699	Emerson L. Neal	138.53

**GENERAL FUND:**

35623	Ameritas Life Insurance Corp – Retirement	1225.94
35624	AFLAC	152.90
35625	American Red Cross – Swimming Classes	258.00
35626	Ameritas Investment Corp – Annual Fee	102.00
35627	Alltel – August Cellular, Pager, Pay Phone, Mobile	182.05
35628	Anaconda Sports Inc – Girls/Boys Helmets, Guards	2020.14
35629	ATCO International – Screen	138.00
35630	Best Way Inc – 14” Sharp Shooter	66.17
35631	Blue River Impl – Parts, Labor, Hydraulic Jack	2361.99
35632	Buman’s Mechanical Services – Air Filters	38.70
35633	Butchs Welding – Tube, Angle, Rod, Nuts, Labor	226.98

35634	Concrete Works – Alley Approach & Inlet	4821.00
35635	Culligan Water Conditioning – Soft Water	17.00
35636	Farmers Coop – Gas/Diesel for Aug, Oil Change	1227.68
35637	Eakes Office – Paper, Calendars, Ribbons, Markers	181.85
35638	Farm Plan – Cyc for 915 JD	150.75
35639	G & P Development Landfill – Waste Disposal	49.30
35640	The Garbage Company – Service for August	122.00
35641	Gene’s Electric – Install Service Uptown	1130.00
35642	Great Plains-One Call – Emerg, Locate, Req, Surch	19.83
35643	Int’l Conf of Bldg Officials – Class “A” Annual Dues	85.00
35644	Kep Harding – Ump Leg Guards, Chest Protect, Bats	205.20
35645	Kustom Signals Inc – In Car Microphones	205.00
35646	Lesco, Inc – 5 Bags Fertilizer	72.00
35647	Menard’s – Mask, White Outdoor, Dust Pan, Duster	153.18
35648	Milford Supermarket – Clorox	2.05
35649	The Milford Times – Minutes, Mtgs, Notices, Forms	666.10
35650	Milford Volunteer Fire Dept – Extrication Class for 9	270.00
35651	Mutual of Omaha Companies – Disability	69.23
35652	NE Mosquito and Vector Control – Regist/Ann’l Mtg	50.00
35653	NE Dept of Revenue – Sales Tax for August	2089.45
35654	NAPA – D Earth, Blow Gun, Wrench, Supplies	162.76
35655	NE Public Power Dist – Service for August	6360.54
35656	NE Tech & Telecomm – Service for August	494.31
35657	Newman Traffic Signs – Street Signs	257.25
35658	NE Dept of Revenue – Recycling Fee	25.00
35659	Olsson Associates – Valley View Lift Station	5407.50
35660	Aquila – Service for August	440.60
35661	B & R Electronics – Labor on Computer	50.00
35662	Roxanne Roth – Clean City Offices, Fire Hall, Library	200.00
35663	Mrs. Wayne Roth – 2 Birthday Cakes	28.00
35664	Sam’s Club – Trash Bags, Tissue, Paper Towels, Soap	110.38
35665	Schlegel’s Groceries – Vehicle Supplies, Milk, Groc	65.35
35666	Seward County Independent – Sec/Rec Director Ad	27.10
35667	Seward Co Public Power District – Wells 1 & 2	857.30
35668	Arlene Sieck – Mileage to Kep Hardings	13.95
35669	Super Spray Car Wash – Car Wash Tokens	74.00
35670	Sunrise Country Manor – 345 Meals for August	1035.00
35671	Uniservice Inc – Pants & Rags	115.66
35672	Scott Burroughs – Mtg in Hastings	745.48
35673	Ryan Roth – Reimburse for Fuel	53.00
35674	Martin Vogel – Water & Sewer Deposit Refund	50.00

35692	Ameritas Life Insurance Corp – Retirement	1225.94
35693	United HealthCare of the Midlands – Group Health	5594.59
35700	ACCO – Ceramic Balls, Seal Rings	62.35
35701	Ameritas Life Insurance Corp – Annual Admin Srvcs	1140.00
35702	Alltel – Directory Advertising, Paging, Pager	38.65
35703	Alltel Communications – Maintenance Contract	508.64
35704	Barco Municipal Products – Shovels	64.94
35705	Best Way, Inc – Measuring Tape	97.94
35706	Blevens Law Office – Legal Services for September	350.00
35707	Book-Of-The-Month Club – 2 Books	16.79
35708	Bound to Stay Bound Books, Inc – 2 Books	25.52
35709	Buman’s Mechanical – Oil, Trimmer Line, Filters	104.98
35710	Butchs Welding – Labor, Service Call, Sharpen Blades	69.00
35711	Central States Lab – Triple Melt	1914.00
35712	Century Labs, Inc – Ice Melt, Gloves	1210.74
35713	City of Milford – Petty Cash, Postage, Supplies	77.11
35714	Chief Supply Corp – Waxie Film	155.09
35715	Data Tech – ’03 Summit Licence / Support Fees	1991.31
35716	Emergency Medical Products – 1 case of Supplies	449.69
35717	Farmers & Merchants Agency – Bonds	371.00
35718	Galaxy Cablevision – Internet Oct ’02 thru Sept ’03	659.39
35719	Great Plains-One Call – Emerg Locate Req Surcharge	33.83
35720	Heartsong Presents – 4 Books	10.99
35721	Holiday Inn Express-Norfolk – NeLEIN Conf Room	135.92
35722	Rob Hull – Reimburse Meals, Mileage to Norfolk	89.16
35723	Ingram Library Services – 53 Books	442.02
35724	Marvin E Jewell – Budget Prep & Computation	5785.00
35725	Kustom Signals Inc – Lapel Microphones	60.00
35726	League of NE Municipalities-’03 Membership Dues	1901.00
35727	League of NE Municip/Utilities – ’03 Member Dues	390.00
35728	Lincoln Winlectric Co – 9V Batteries	70.93
35729	Linweld – Oxygen	144.60
35730	Memorial Health Care Systems – Hepatitis B Series	780.00
35731	Midwest Tape – “Monsters, Inc”	17.99
35732	Milford School Dist #5 – Fines Collected for Sept	15.00
35733	Milford Vol Fire Dept – Certification Written Exams	175.00
35734	Municipal Supply Inc – Curb Boxes, Rods	431.46
35735	NE Library Assoc – Edna & Lucy Memberships	55.00
35736	NE Health Laboratory – Blood Test Analysis Fee	55.00
35737	Omaha Life Insurance Co – Life Insurance	68.80
35738	OMB Police Supply – Batteries, Stinger, Holster	166.83

35739	Organic Nutrient Solutions – Screened Compound	926.33
35740	Oxmoor House – “Great American Quilts”	32.91
35741	Quill Corporation – Laser Labels, Labels	113.82
35742	Rami’s Photograph – Film Processing	47.73
35743	Rediger Chevrolet – ’98 Fuel Problems Checked	15.75
35744	Roxanne Roth – Clean City Offices, Fire Hall, Library	255.00
35745	Rural Apprehension Program–Matching Funds Share	943.00
35746	Sack Lumber – Pine, Roofing Nails, Cement	168.15
35747	Seward Co Public Power Dist – Wells 1 & 2	469.51
35748	Seward County Clerk – 4% of E911 Budget	7823.00
35749	SCC Lincoln Campus – EMT-B Classes	1383.68
35750	Southeast NE Div Dist – 2003 Membership Dues	1346.00
35751	The Gale Group – 15 Books	135.00
35752	The Penworthy Company – 6 Books	136.30
35753	Today’s Christian Woman – 1 year Subscription	17.95
35754	US Filter Distribution Group – Curb Box, Rod	637.25
35755	Union Bank – Gary TeSelle Account	300.00
35756	Water Products Inc – Flrdbarb Cplg	43.88
35757	Beverly Wehrs – Paper Products, Food Reimburse	44.49
35758	Randy Clark – Reimburse for Leg Guards	37.26
35759	Randy Freye – Water & Sewer Deposit Refund	31.39
35760	Nathaniel Tvrdy – Water & Sewer Deposit Refund	25.75

**REPORTS OF OFFICERS, BOARDS AND COMMITTEES:** Written reports received were Planning & Zoning minutes for September 12, 2002; Milford Aging Services Commission minutes for September 24, 2002; Police Dept. Activity Report for September 2002. \*Fortune – Report recommending changes from Jack Daniels on the private well ordinance. Citizen has requested a street light be placed at the alley on “D” Street between 1<sup>st</sup> St. and Park Ave. \* Neal – Sr. Center has been informed that they are responsible for maintaining and cleaning up the space along the east wall of the old Pizza Kitchen Bldg. under the F & M Sign. \* Burroughs – Soon be going out for bids on the new ballfields. \*Mayor Plessel has been to numerous meetings with E.P.A., D.E.Q. and the Corp of Engineer who all have informed her that all the rules and regulations have been fulfilled and there is nothing we can do to discourage them from dumping the contaminated soil from Hastings. The County has informed them that the gravel road cannot be used due the weight of the trucks. They will be traveling the route of Hwy 6 and only using State and County roads. Plessel informed them to notify Gary Cooper with S.C.C. and inform him of the use of State Street thru the College. Mayor Plessel noted several times of the day when State Street is full of pedestrian traffic at the College. Milford

landfill is also receiving contaminated dirt from Gage County. Seward County is having an assessment done to see if damage is being done to the County road and possibly establish a weight limit. \*Siebken reviewed the Police Dept. activity report. Hull attended the NeLEIN (NE Law Enforcement Intelligence Network) seminar. Chief Siebken will be attending the POAN Conference later this month.

**COMMUNICATIONS:** Sales tax received for the month of July 2002 was \$12,473.88. Resignation letter received from Recreation Board member Angela Folkerts.

**PUBLIC HEARING - Citizen Advisory Committee:** Mayor Plessel opened the public hearing at 7:50 pm. Dean Bruha presented a revenue total of \$48,837.38. Minimal activity has occurred with the Economic Development Committee. Contact with an Agricultural Irrigation Co. State of NE Economic Committee looking for communities interested in an Ethanol Plant. J.R. Welding slowly moving forward on property at Hwy 6 & 15. Website needs to be updated. Committee is aware of this, trying to get the Chamber of Commerce to help with update. Economic Development Program will be reviewed, by the Governing Body, after a 10 year period. Burroughs suggested investing the \$48,000.00 into a CD for a 12 month period. Council agreed. No further comments the public hearing closed at 8:02 pm.

**NEW BUSINESS:**

**Appointment – Milford Aging Services Committee:** A motion was made by Fortune and seconded by Neal to approve the Mayor’s recommendation of Vera Havener to the Milford Aging Services Committee with her term to expire January 2004. Roll call vote: Fortune yes, Neal yes, Burroughs yes, Cooper absent. Motion carried.

**Authorize Signature – Water Transmission Main:** A motion was made by Fortune and seconded by Burroughs to authorize the Mayor to sign the contract to Rogge Engineering for the Water Transmission Main Project. Roll call vote: Fortune yes, Burroughs yes, Cooper absent, Neal yes. Motion carried.

**Authorize Signature – Tank Demolition:** A motion was made by Fortune and seconded by Neal to authorize the Mayor to sign the contract to L.F.W. Sandblasting for the Water Tank Demolition. Roll call vote: Fortune yes, Neal yes, Burroughs yes, Cooper absent. Motion carried.

**Approve Fire Dept. Membership Roster:** A motion was made by Burroughs and seconded by Fortune to approve the Fire Dept. membership roster as presented. (Roster attached to these minutes) Roll call vote: Burroughs yes, Fortune yes, Cooper absent, Neal yes. Motion carried.

**Hire Volleyball Director, Coed League:** A motion was made by Burroughs and seconded by Neal to approve Bruce and Janel Stutzman as the Coed Volleyball Directors for the 2002-2003 Season. Roll call vote: Burroughs yes, Neal yes, Cooper absent, Fortune yes. Motion carried.

**Youth Basketball Coaches: Girls** – A motion was made by Fortune and seconded by Burroughs to approve Stephanie Spearman as the girl’s youth basketball coach. Roll call vote: Fortune yes, Burroughs yes, Cooper absent, Neal yes. Motion carried. **Boys** – Still vacant.

**Introduction and Adoption of Resolution – Rural Apprehension**

**Program:** Attorney Blevens read the resolution. A motion was made by Burroughs and seconded by Neal to approve the following resolution.

**RESOLUTION NO. 388**

**BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MILFORD, NEBRASKA:**

WHEREAS, law enforcement agencies within the following counties: Butler, Clay, Fillmore, Hamilton, Jefferson, Merrick, Nuckolls, Saline, Saunders, Seward, Thayer, Webster, and York desire to enter into a cooperative law enforcement effort; and

WHEREAS, the above agencies have submitted a grant application as the RURAL APPREHENSION PROGRAM (hereafter R.A.P.); and

WHEREAS, the R.A.P. project has been funded by the Nebraska Crime Commission; and

WHEREAS, the various counties, communities and agencies within those jurisdictions desire to make the most efficient use of the power by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors; and

WHEREAS, an interlocal agreement, consistent with Nebraska Revised Statutes 13-801 et.seq., would be in the best interest of all participating agencies; and

WHEREAS, the agencies desire to enter into a written interlocal agreement for the purpose of carrying out the R.A.P. objectives and grant requirement of the Nebraska Crime Commission.

**BE IT RESOLVED THAT:**

The City of Milford authorizes the Chief of Police to enter City of Milford into an interlocal agreement for joint and cooperative action pursuant to the provisions of Section 13-801 through 13-807 of Nebraska Revised Statutes. . The interlocal agreement shall be for the strict administration of the R.A.P. project and all funds allocated by the Nebraska Crime Commission, and Match dollars allocated by the R.A.P. members. Further, this interlocal

agreement shall not establish a separate legal entity, rather as a joint and cooperative undertaking between public agencies i.e. state, county, city and village. (Nebraska Revised Statute 13-801)

Amount of match dollars allocated by the City of Milford for the 2002 - 2003 grant period (RAP 13) will be \$943.00.

Upon roll call vote as follows: Burroughs yes, Neal yes, Cooper absent, Fortune yes. Motion carried.

Dated this 3rd day of October 2002.

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City Clerk

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Mayor

(SEAL)

**Executive Session – Personnel:** A motion was made by Fortune and seconded by Neal to go into Executive Session. Roll call vote: Fortune yes, Neal yes, Burroughs yes, Cooper absent. Motion carried and Council adjourned from regular session at 8:08 pm. A motion was made by Neal and seconded by Burroughs to return to regular session. Roll call vote: Neal yes, Burroughs yes, Cooper absent, Fortune yes. Motion carried and Council returned to regular session at 8:14 pm.

**Hire Secretary/Recreation Director and Set Wage:** A motion was made by Neal and seconded by Burroughs to approve hiring Lindsey Troyer at \$8.50 per hour. Roll call vote: Neal yes, Burroughs yes, Cooper absent, Fortune yes. Motion carried.

**ADJOURNMENT:** A motion was made by Fortune and seconded by Burroughs to adjourn the meeting. Roll call vote: Fortune yes, Burroughs yes, Cooper absent, Neal yes. Motion carried and meeting adjourned at 8:15 pm.

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City Clerk

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Mayor

### CERTIFICATION

I, the undersigned, City Clerk of the City of Milford, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on October 3, 2002 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said

agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

(SEAL)

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Jeanne Hoggins, City Clerk